

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect fragments, hairs resembling rodent, cow, or goat hairs, and wood and plant fibers.

DISPOSITION: October 23, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9172. Adulteration of rennet. U. S. v. 4 Barrels of Italian Style Rennet. Consent decree of condemnation and destruction. (F. D. C. No. 16786. Sample No. 23314-H.)

LIBEL FILED: July 5, 1945, Western District of Arkansas.

ALLEGED SHIPMENT: On or about March 8, 1945, by J. Marchioretto and Co., from Kenosha, Wis.

PRODUCT: 4 barrels containing about 950 pounds of Italian style rennet at Harrison, Ark.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of cow hairs, plant fibers, and insect fragments.

DISPOSITION: September 11, 1945. The consignee having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

9173. Adulteration of cocoa butter. U. S. v. 444 Cases and 390 Cases of Cocoa Butter. Decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 14523, 14547. Sample Nos. 68447-F, 68448-F.)

LIBELS FILED: November 25 and 28, 1944, Northern District of Ohio.

ALLEGED SHIPMENT: On or about October 23 and 25, 1944, by the Toledo Candy Co., Bloomington, Ill.

PRODUCT: 444 cases and 390 cases, each containing approximately 130 pounds, of cocoa butter at Toledo, Ohio.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of weevils, insect fragments, dirt, and mold.

DISPOSITION: December 13, 1944. The Paul F. Beich Co., a corporation, Bloomington, Ill., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond to be brought into conformity with the law, under the supervision of the Food and Drug Administration.

9174. Adulteration of cocoa butter. U. S. v. 56 Bags of Cocoa Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15442. Sample No. 17413-H.)

LIBEL FILED: On or about March 8, 1945, Northern District of Illinois.

ALLEGED SHIPMENT: On or about March 14, 1944, from Brooklyn, N. Y.

PRODUCT: 56 bags, each containing approximately 200 pounds, of cocoa butter at Chicago, Ill., in the possession of the Lion Speciality Co. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent pellets were observed on them. Examination showed that the product contained rodent pellets.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: August 8, 1945. The Lion Speciality Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reconditioned, under the supervision of the Food and Drug Administration, by removing all contaminated bags and wrappers, cutting away all rodent-gnawed portions, and re-packing the product in clean containers.

9175. Adulteration of yeast. U. S. v. Henry A. Kohman (H. A. Kohman). Plea of guilty. Fine, \$150 and costs. (F. D. C. No. 15536. Sample Nos. 63349-F, 63907-F, 89835-F.)

INFORMATION FILED: June 15, 1945, Western District of Pennsylvania, against Henry A. Kohman, trading as H. A. Kohman, Pittsburgh, Pa.

ALLEGED SHIPMENT: Between the approximate dates of July 3 and August 21, 1944, from the State of Pennsylvania into the States of Georgia and Florida.

LABEL, IN PART: (Portion) "Kohman's Salt Rising Yeast."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments, whole insects, larvae, and a rodent hair; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: October 17, 1945. A plea of guilty having been entered, the defendant was fined \$150 and costs.

9176. Adulteration of ice cream mix. U. S. v. Billings Dairy, Inc. Plea of guilty. Fine, \$200. (F. D. C. No. 15537. Sample Nos. 69320-F, 85813-F, 85815-F.)

INFORMATION FILED: June 12, 1945, District of Montana, against the Billings Dairy, Inc., Billings, Mont.

ALLEGED SHIPMENT: June 17 and August 20 and 21, 1944, from the State of Montana into the State of Wyoming.

LABEL, IN PART: "Billings Dairy Inc. Ice Cream."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of nondescript dirt, threads, vegetable fiber, feather barbules, and metal particles; and, Section 402 (a) (4), it had been prepared, packed, and held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: June 22, 1945. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$200.

9177. Misbranding of ice cream mix. U. S. v. 20 Cartons of Londonderry Ice Cream Mix. Default decree ordering that the product be distributed to charitable institutions. (F. D. C. No. 15606. Sample No. 29223-H.)

LIBEL FILED: March 10, 1945, District of Utah.

ALLEGED SHIPMENT: On or about February 10, 1945, by Londonderry, from San Francisco, Calif.

PRODUCT: 20 cartons, each containing 48 packages, of Londonderry ice cream mix.

LABEL, IN PART: "Londonderry for making Ice Cream at Home."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statements, "Make it in 2 Minutes' Then Freeze—That's All Enough for 4 Pts * * * for making Ice Cream at Home * * * Makes all flavors Ice Cream as low as 11 cents a pint * * * In Two Minutes," were false and misleading as applied to the article, which was conspicuously represented as having components of ice cream, but which failed to reveal with equal conspicuousness the fact that it was only a stabilizer and that the expensive ingredients must be furnished by the purchaser; and, Section 403 (k), the article contained artificial flavoring and it failed to bear labeling stating that fact.

DISPOSITION: May 12, 1945. No claimant having appeared, judgment was entered and the product was ordered distributed to charitable institutions.

VITAMIN PREPARATIONS AND FOODS FOR SPECIAL DIETARY USES

9178. Misbranding of Diet Supplements No. 4B and No. 10. U. S. v. Dr. Pierre A. Bonquet (Dr. P. A. Bonquet Products). Plea of not guilty. Verdict of guilty. Fine, \$300. Sentence of 1 year in jail suspended and defendant placed on probation for 3 years. (F. D. C. No. 14277. Sample Nos. 62752-F, 81335-F.)

INFORMATION FILED: March 10, 1945, Southern District of California, against Dr. Pierre A. Bonquet, doing business as Dr. P. A. Bonquet Products, Los Angeles, Calif.

ALLEGED SHIPMENT: On or about March 25 and April 6, 1944, from the State of California into the States of Missouri and Kansas.

PRODUCT: Examination indicated that the products were aqueous, sirupy suspensions containing large amounts of reducing sugars and smaller amounts of dissolved and undissolved proteinaceous matter, lactic acid, calcium, iron, chloride, phosphate, and a trace of manganese.